

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

IN RE: ARC AIRBAG INFLATORS  
PRODUCTS LIABILITY  
LITIGATION

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MDL No. 3051  
Case No. 1:22-md-03051-ELR

**DECLARATION OF ROLAND TELLIS IN SUPPORT OF PLAINTIFFS'  
MEMORANDUM OF LAW IN OPPOSITION TO DEFENDANT  
BAYERISCHE MOTOREN WERKE AKTIENGESELLSCHAFT'S  
MOTION TO DISMISS**

I, Roland Tellis, declare as follows:

1. I am an attorney at the law firm of Baron & Budd, P.C., and an attorney of record for Plaintiffs in this matter. I make this declaration in support of Plaintiffs' Memorandum of Law in Opposition to Defendant Bayerische Motoren Werke AktienGesellschaft's Motion to Dismiss Plaintiffs' Consolidated Class Action Complaint. I am licensed to practice law in California and am admitted to practice before this Court. I have personal knowledge of the facts set forth in this declaration and, if called upon as a witness, I could and would testify competently thereto.

2. I have caused true and correct copies of the following exhibits to be filed concurrently with this declaration:

- a. Exhibit 1: Press Release, BMW Group, Statement by Oliver Zipse, Chairman of the Board of Management of BMW AG, Conference Call Quarterly Statement to 30 September 2024 (Nov. 6, 2024), [https://www.press.bmwgroup.com/usa/article/detail/T0446217EN\\_US/statement-oliver-zipse-chairman-of-the-board-of-management-of-bmw-ag-conference-call-quarterly-statement-to-30-september-2024](https://www.press.bmwgroup.com/usa/article/detail/T0446217EN_US/statement-oliver-zipse-chairman-of-the-board-of-management-of-bmw-ag-conference-call-quarterly-statement-to-30-september-2024).
- b. Exhibit 2: Screenshot of BMW Group's Website: *Compliance and Human Rights at the BMW Group*, BMW Group, [https://www.bmwgroup-werke.com/content/grpw/websites/bmwgroup\\_com/en/company/compliance.html](https://www.bmwgroup-werke.com/content/grpw/websites/bmwgroup_com/en/company/compliance.html) (last visited Jan. 15, 2025).
- c. Exhibit 3: Press Release, BMW Group, BMW Group Press Conference Speech at the LA Auto Show by Ian Robertson Member of the Board of BMW AG, Sales and Marketing (Dec. 3, 2009), <https://www.press.bmwgroup.com/global/article/detail/T0075273EN/bmw-group-press-conference-speech-at-the-la-auto-show-by-ian-robertson-member-of-the-board-of-bmw-ag-sales-and-marketing>.

- d. Exhibit 4: Press Release, BMW Group, BMW of North America Reports Q4 2024 U.S. Sales Results, Sets New Benchmarks for Annual Sales and Bev Sales (Jan. 3, 2025), [https://www.press.bmwgroup.com/usa/article/detail/T0447290EN\\_US/bmw-of-north-america-reports-q4-2024-u-s-sales-results-sets-new-benchmarks-for-annual-sales-and-bev-sales](https://www.press.bmwgroup.com/usa/article/detail/T0447290EN_US/bmw-of-north-america-reports-q4-2024-u-s-sales-results-sets-new-benchmarks-for-annual-sales-and-bev-sales).
- e. Exhibit 5: BMW's response to NHTSA's request for information: Letter from Sam Campbell, Department Head Safety Engineering, BMW Group (Dec. 16, 2016), <https://static.nhtsa.gov/odi/inv/2016/INRL-EA16003-87353P.pdf>
- f. Exhibit 6: BMW's Comments to NHTSA Initial Decision: *BMW Comments to Docket NHTSA-2023-0048 NHTSA Initial Decision re EA 16-003* (Dec. 18, 2023). <https://lindseyresearch.com/wp-content/uploads/2024/01/NHTSA-2023-0038-0016-PUBLIC-BMW-Comments-to-NHTSA-InitialDecisionReARC-18Dec2023.pdf>
- g. Exhibit 7: A PDF of BMW's Recall Campaign: *Recall Campaign 17V-189: ARC Passenger Front Air Bag*, BMW (Mar. 20, 2017), <https://static.nhtsa.gov/odi/rcl/2017/RCRIT-17V189-9203.pdf>.
- h. Exhibit 8: Press Release, BMW Group, BMW of North America to Open New Vehicle Distribution Center at Tradepoint Atlantic Terminal in Baltimore, M.D. (Feb. 22, 2021), [https://www.press.bmwgroup.com/usa/article/detail/T0326512EN\\_US/bmw-of-north-america-to-open-new-vehicle-distribution-center-at-tradepoint-atlantic-terminal-in-baltimore-md](https://www.press.bmwgroup.com/usa/article/detail/T0326512EN_US/bmw-of-north-america-to-open-new-vehicle-distribution-center-at-tradepoint-atlantic-terminal-in-baltimore-md).
- i. Exhibit 9: Press Release, BMW NA, BMW of North America Announces New Senior Executive Appointments (May 21, 2021).
- j. Exhibit 10: Press Release, BMW Group, Oliver Zipse appointed new Chairman of the Board of Management of BMW AG (July 18, 2019), <https://www.press.bmwgroup.com/global/article/detail/T0298910EN/oliver-zipse-appointed-new-chairman-of-the-board-of-management-of-bmw-ag>.

- k. Exhibit 11: A research paper: Division of Research, *BMW's Impact in South Carolina: Two Decades of Economic Development*, Univ. of South Carolina (December 2014).
- l. Exhibit 12: Press Release, BMW Group, Media Alert: BMW X5 M and BMW X6 M will make their world premieres and the BMW 2 series convertible and BMW X6 sports activity coupe will make their North American auto show debuts at the 2014 Los Angeles auto show (Oct. 3, 2024), [https://www.press.bmwgroup.com/usa/article/detail/T0195562EN\\_US/media-alert:-bmw-x5-m-and-bmw-x6-m-will-make-their-world-premieres-and-the-bmw-2-series-convertible-and-bmw-x6-sports-activity-coupe-will-make-their-north-american-auto-show-debuts-at-the-2014-los-angeles-auto-show](https://www.press.bmwgroup.com/usa/article/detail/T0195562EN_US/media-alert:-bmw-x5-m-and-bmw-x6-m-will-make-their-world-premieres-and-the-bmw-2-series-convertible-and-bmw-x6-sports-activity-coupe-will-make-their-north-american-auto-show-debuts-at-the-2014-los-angeles-auto-show).
- m. Exhibit 13: Press Release, BMW Group, The 2011 BMW X5 (US Version) (Feb. 6, 2010), [https://www.press.bmwgroup.com/usa/article/detail/T0077530EN\\_US/the-2011-bmw-x5-us-version?language=en\\_US](https://www.press.bmwgroup.com/usa/article/detail/T0077530EN_US/the-2011-bmw-x5-us-version?language=en_US).
- n. Exhibit 14: Press Release, BMW Group, BMW Group Press Conference North American International Auto Show 2012 (Jan. 9, 2012), [https://www.press.bmwgroup.com/usa/article/detail/T0124237EN\\_US/bmw-group-press-conference-north-american-international-auto-show-2012](https://www.press.bmwgroup.com/usa/article/detail/T0124237EN_US/bmw-group-press-conference-north-american-international-auto-show-2012).
- o. Exhibit 15: Screenshot from BMW's website: *Company Information*, BMW, <https://www.bmwusa.com/about/bmw-of-north-america.html>.
- p. Exhibit 16: Screenshot from BMW America's website: *Shop Pre-Owned Inventory*, BMW, <https://www.bmwusa.com/certified-preowned-search/results>.
- q. Exhibit 17: Screenshot from BMW America's website: *Find Your Ultimate Match*, BMW, <https://www.bmwusa.com/certified-preowned/cpo-special-offers.html>.
- r. Exhibit 18: Press Release, The BMW X5 Silver Anniversary Edition: celebrating 25 years of the BMW X (July 21, 2024), available at

[https://www.press.bmwgroup.com/usa/article/detail/T0443261EN\\_US/the-bmw-x5-silver-anniversary-edition:-celebrating-25-years-of-the-bmw-x5](https://www.press.bmwgroup.com/usa/article/detail/T0443261EN_US/the-bmw-x5-silver-anniversary-edition:-celebrating-25-years-of-the-bmw-x5).

- s. Exhibit 19: A screenshot from the website ImportYeti: *BMW*, Import Yeti, <https://www.importyeti.com/supplier/bmw> (last visited Jan. 15, 2025).

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 7th day of February, 2025.

*/s/ Roland Tellis*

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